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(SPACE BELOW FOR FILING STAMP ONLY)

Attorneys for Defendant
JOHN J. HOLLENBACK, JR.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT

MELVIN JONES, JR.,

Plaintiffs,

v.

MICHAEL TOZZI, MARIE SOVEY-
SILVEIRA, LESLIE JENSEN, and JOHN J.
HOLLENBACK, JR.,

Defendants.

Case No. F-05-0148 OWW DLB

**ORDER GRANTING DEFENDANT'S
EX PARTE APPLICATION FOR AN ORDER
SHORTENING TIME REGARDING
NOTICE, BRIEFING AND HEARING ON
DEFENDANT'S MOTION FOR
PROTECTIVE ORDER AND MOTION TO
QUASH THE DECEMBER 15, 2005
SUBPOENA**

Hearing Date: January 13, 2006

Time: 2:00 p.m.

Judge: Honorable Dennis Beck

This Court, after reviewing the papers submitted by the parties and all other relevant material, evidence and argument on the issues before the Court, hereby ORDER and DECREE as follows:

1. GOOD CAUSE being found, the *Ex Parte* Application of Defendant for an Order Shortening Time is hereby GRANTED.
2. Defendant's Motion for Protective Order and Motion to Quash the December 15, 2005 Subpoena will be heard on January 13, 2006 at 2:00 p.m. in

Courtroom 5 of the United States District Court, Eastern District of California, located at 1130 O Street, Fresno, CA 93721.

3. The Court acknowledges that the moving papers in support of Defendant's motions consisting of a Notice of Hearing, Memorandum of Points and Authorities and a Declaration from Daniel L. Wainwright, have already been filed with the Court and served on plaintiff.

4. Any opposition from Plaintiff must be filed with the Court and served on the other parties no later than January 12, 2006.

5. There will be no reply brief from Defendant.

6. Plaintiff may appear telephonically at the January 13, 2006 hearing by calling (559) 498-7538 at 2:00 p.m.

7. Defendant shall provide plaintiff with notice of the hearing and a copy of this Order on or before January 10, 2005.

IT IS SO ORDERED.

Dated: January 9, 2006

/s/ Dennis L. Beck

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UNITED STATES MAGISTRATE JUDGE